

San Miguel Community Services District Staff Report

DATE: December 19, 2013

ITEM: 13b

TO: Board of Directors

FROM: Rob Roberson, Fire Chief

SUBJECT:

Public Hearing to consider adoption of Ordinance 01-2013, an Ordinance of the Board of Directors of the San Miguel Community Services District Adopting With Amendments the California State Fire Code 2013 Edition, The 2012 Edition of the International Wildland Urban Interface Code, and the 2013 National Fire Protection Association Standard 1144.

STAFF RECOMMENDATION:

It is recommended that the Board of Directors hold a public hearing and after waiving further reading and reading by title only, adopt Ordinance 01-2013.

DISCUSSION:

As part of the process of adopting and amending the 2013 California Fire Code, the 2012 International Wildland Urban Interface Code and the 2013 National Fire Protection Association Standard 1144, at its November 21, 2013 meeting the Board of Directors adopted Resolution 2013-20 and introduced Ordinance 01-2013. In accordance with the requirements of Health and Safety Code Sections 13869.7, 17958.7, and 18941.5, Resolution 2013-20 made certain required findings based upon climatic, geographical and topographical conditions in San Miguel in support of the adoption of more restrictive fire and life safety standards and requirements than those contained in the State's Fire Code. Ordinance 01-2013, which will adopt and amend the 2013 California Fire Code, the 2012 International Wildland Urban Interface Code and the 2013 National Fire Protection Association Standard 1144, is now being presented to the Board of Directors for adoption.

Community Service Districts are authorized by Government Code Section 61100(d) to provide fire protection services pursuant to the provisions of Health and Safety Code Sections 13800 et seq. Health and Safety Code Section 13869.7 provides the procedure for adopting amendments to the State codes, which includes the requirement that the Ordinance be submitted to the County prior to noticing a proposed ordinance for public hearing, as well as submittal of the ordinance after adoption to the County Board of Supervisors for formal ratification. The adoption of codes

by reference is also subject to the requirements of Government Code Sections 50022.1 et seq. The adoption procedure is somewhat different than the procedure that otherwise applies to the adoption of an ordinance. Pursuant to Government Code Section 50022.3, after the introduction of the ordinance, a noticed public hearing is to be scheduled and held. Resolution 2013-20 and draft Ordinance 01-2013 were submitted to the County after the Board's November 21st meeting and a notice of public hearing has been published for today's public hearing, as required by law.

As reported to the Board at the November 21, 2013 meeting, the local amendment package for the 2013 code adoption cycle includes the addition of language prohibiting the use of "sky lanterns". The other local amendments focus on the many unique environmental, topographical, geological, climatic and emergency response issues that face the San Miguel Community Services District. The local amendments include the inspection, investigative powers, and authority of the Fire Department; address Fire Sprinkler requirements; fire protection for outside waste and other containers; residential and commercial fire sprinkler standards; security boxes for public safety building access; fire access road and gate standards; hazardous chemical storage regulations; wildland fire protection standards; and fire extinguisher minimum standards.

Adoption of Ordinance 01-2013 will be followed by submittal to the County for ratification by the Board of Supervisors. Thereafter, it will be sent to the California Building Standards Commission for official filing. Upon filing with the State, the new regulations and standards will be fully enforceable within the San Miguel Community Services District.
